

MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF HUNTSVILLE, ALABAMA,
HELD THURSDAY, JANUARY 14, 2016

The Honorable Council of the City of Huntsville, Alabama, met in regular session on Thursday, January 14, 2016, at 6 p.m., in the Council Chambers of the Municipal Building, there being present:

President:	Culver
Councilpersons:	Russell, Robinson, Kling, Showers
Mayor:	Battle
City Administrator:	Hamilton
City Attorney:	Riley
City Clerk-Treasurer:	Benion

President Culver called the meeting to order.

Rev. Bonnie McCrickard led the invocation;
Councilman Russell led the pledge of allegiance.

President Culver stated that Item 15.n had been deleted from the agenda.

President Culver asked if there were any recommendations or changes concerning the minutes of the Regular Meeting of the Council on December 17, 2015.

Councilman Russell stated that after reading and reviewing the minutes of the December 17 meeting, it was quite apparent that the Council needed to do a better job of conducting its business. He stated that this was the responsibility of the

entire Council and stated that he pledged a greater commitment to following correct parliamentary procedure, for this meeting and future meetings.

President Culver asked if there were any further recommendations concerning the minutes.

There was no response.

President Culver stated that hearing none, the minutes would stand approved as submitted.

President Culver stated that the next item on the agenda was Resolutions and Special Recognitions. He recognized Mayor Battle.

Mayor Battle asked Dr. Harry Hobbs to come forward, stating that there was to be the STAR 99.1/CAFY Young Citizen of the Month recognition. He also asked Jordan Cozby to come forward.

Dr. Hobbs asked the other members of the committee to also come forward.

Dr. Hobbs stated that Jordan Cozby was the January 2016 STAR 99.1/CAFY Young Citizen of the Month, noting that he had been nominated for this recognition by Cathy Miller of United Way.

Dr. Hobbs stated that Jordan was a senior at Bob Jones High School. He continued that he had been volunteering most of his life and that he had given many, many hours at United Way, to the Community Impact Volunteer Team. He continued that he had also worked in Vacation Bible School. He

stated that he was extremely involved in politics, that he had spent many weekends in events registering voters. He continued that he had participated in all kinds of community service and had received many awards from helping others.

Dr. Hobbs stated that Jordan was an International Public Policy Forum Quarterfinalist, a Daughters of the American Revolution Youth Citizenship Medal Recipient, that he had received a second place speaker award in a Samford University Public Forum Debate Tournament, that he had been a competitor in a National Speech and Debate Tournament, and had attended a Huntsville/Madison County Leadership Challenge Class. He continued that he had received first place in MASS Institute of Technology INSPIRE, and had received an Outstanding Delegate Award at the American Legion AL Boys State, and that he had received a Yale Book Award from the Yale Club of AL.

Dr. Hobbs stated that Jordan had done an outstanding job and that this was appreciated in every way.

Dr. Hobbs stated that on behalf of Mr. Kenny Anderson, the Multicultural Affairs Director, STAR 99.1, Mayor Battle, and others in the group, he wanted to make a presentation to Jordan. He continued that there would also be other things presented to him.

Ms. Clarene Teague-Johnson presented a Certificate to Jordan on behalf of the Human Relations Commission of the City of Huntsville. She congratulated him for all his endeavors.

Captain Jeffery Rice stated to Jordan that on behalf of

the Huntsville Police Department, Chief Mark McMurray, and all the officers who patrolled the streets of Huntsville, Alabama, he wanted to recognize him for his exemplary service to the community. He urged him to keep up the good work.

Mayor Battle presented a Coin from the City to Jordan, stating that this coin was presented to persons who had made a difference in the city and the area and made it a better place. He thanked him for everything he had done, noting that he had enjoyed working with him in many capacities.

Dr. Hobbs stated that there was also a presentation from Huntsville Utilities, noting that there was something included for his mind, body, and soul, as well as to stimulate his economy.

Mayor Battle asked Mr. Warren Jones to come forward.

Mayor Battle stated that back in the 1980s, there had been no railroad going down into South Huntsville, serving industry. He stated that 31 years prior, Mr. Jones had taken over as Chairman of the Huntsville-Madison County Railroad Authority and had kept the city having 13 miles of railroad, going all the way down into South Huntsville, for 31 years.

Mayor Battle stated that Mr. Jones was another person who had been able to make a difference.

Mayor Battle presented a proclamation to Mr. Jones, expressing appreciation to him for his extremely valuable and unselfish commitment to business and industry in Huntsville. He stated that the railroad line to which he had been referring

had been abandoned in 1983, and that Mr. Jones had had the foresight to realize the negative impact on the economy of the city and had formed a plan and established a team in 1984 to form an Authority to operate a shortline railroad. He stated that Mr. Jones had served for 31 years as the Chairman of this Authority. He thanked him for this service.

Mayor Battle asked the members of the School Board to come forward: Laurie McCaulley, President of the Board; Elisa Ferrell; Mike Culbreath; Walker McGinnis; and Beth Wilder.

Mayor Battle stated that January was School Board Recognition Month. He stated that he wanted to present a proclamation to them to express appreciation to them for serving on the School Board. He stated that this was done once a year and that it was done because these persons were the people who set up the guidelines for the School System and they were the ones who could make the schools either good or bad. He continued that they worked together so well that they had made the schools something that had international acclaim. He continued that persons from all over the country were coming to look at the City's system. He thanked each of them for the job they had done with the School Board.

Mayor Battle presented the proclamation to Ms. McCaulley.

Ms. McCaulley stated that on behalf of the Huntsville City Board of Education, she would like to thank the Council and the Administration. She stated that this recognition would go to

all the teachers and support persons they had in the classrooms and in the corridors of the schools, noting that it took all of them to make Huntsville City what it was. She stated that what they would find in Huntsville City Schools in their new direction for 2016 was that everything they had would be in the hands of every child.

President Culver stated to the members of the School Board that they did a great job and asked that they keep up the good work.

Councilman Russell read and introduced a resolution congratulating Chuck Hagood upon his retirement from the City of Huntsville after 42 years of dedicated service, as follows:

(RESOLUTION NO. 16-001)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

President Culver recognized Councilman Showers.

Councilman Showers asked Mr. Hagood to come forward.

Councilman Showers read from the resolution that for the past 42 years, Mr. Hagood had served the City of Huntsville in an exemplary, dedicated, and conscientious manner. He continued that he had been appointed City Clerk-Treasurer in 1989, and that he had provided exceptional record keeping and other functions related to the City of Huntsville's operation, including City Council meetings and the maintenance of ordinances and resolutions, as well as assuring that business

owners within the city limits were properly licensed, et cetera. He continued that he had also handled various other duties, including the handling of the Huntsville Municipal Election process. He continued that Mr. Hagood had spent numerous election nights making sure that each ballot was recorded accurately.

Councilman Showers thanked Mr. Hagood for his many years of outstanding service to the City and presented the resolution to him, noting that he was presenting it on behalf of the Mayor, the Council, and the 188,000 loving citizens of Huntsville for the contributions he had made to the city.

Mr. Hagood expressed appreciation for the recognition and stated that he would like to thank the Mayor and all the Council members with whom he had served. He stated that it had been a pleasure working for the City of Huntsville for the prior 42 years and serving as City Clerk-Treasurer for the prior 25 years. He stated that the city was in a better place because of the Mayor and the Council.

Councilman Kling expressed appreciation to Mr. Hagood for what he had done for the community, noting that the city moved because of the persons in it.

Councilman Showers read and introduced a resolution recognizing Dr. Wright L. Lassiter, Jr., as guest speaker at the Martin Luther King Jr. Unity Breakfast, to be held January 18, 2016, at the Von Braun Center North Hall, as follows:

(RESOLUTION NO. 16-002)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Russell and was unanimously adopted.

President Culver recognized Councilman Showers.

Councilman Showers stated that he would be delighted to present the resolution on January 18 at the annual Martin Luther King Jr. Unity Breakfast, on behalf of the Mayor and the Council.

Councilman Russell read and introduced a resolution recognizing Rev. Mishael Elijah Miller as the guest singer at the Martin Luther King Jr. Unity Breakfast, to be held January 18, 2016, at the Von Braun Center North Hall, as follows:

(RESOLUTION NO. 16-003)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling and was unanimously adopted.

President Culver recognized Councilman Showers.

Councilman Showers stated that he would also be recognizing Rev. Miller at the Martin Luther King Jr. Unity Breakfast, on January 18, at the Von Braun Center, on behalf of the Mayor and the Council.

President Culver stated that the next item on the agenda was a presentation to the Council on International Educational Exchange (CIEE) High School students, sponsored by the United

States Department of State, with Mr. Jim Powers being the Local Coordinator/Team Leader.

President Culver asked Mr. Powers to come forward.

President Culver asked Mayor Battle to join him for the presentation.

President Culver stated that Mr. Powers would call each student forward and that each of them would receive a certificate in recognition of their participation in the International Educational Exchange High School program and their attendance at this meeting of the Huntsville City Council.

Mr. Powers introduced the students, stating their country of origin and the school they were attending.

President Culver presented the certificates for the students.

President Culver also presented a certificate to Mr. Powers, in recognition of his efforts in coordinating the Council on International Educational Exchange High School program.

Mr. Powers expressed appreciation for the recognition.

Mayor Battle stated that there were also two additional students present at the meeting.

Mr. Powers stated that these students were not in this program but they were international students who were college students at Drake University. He asked that they introduce themselves.

The students introduced themselves to the Council and the audience.

President Culver stated that the next item on the agenda was Public Hearings to be Held.

President Culver stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the City Clerk-Treasurer to assess the cost of demolishing property located at 1615 Lucille Street NW.

President Culver recognized Ms. Michelle Jordan, Director of Planning.

Ms. Jordan stated that on October 22, 2015, at the Regular Council Meeting, the Council had authorized Community Development to demolish the subject property. She stated that this demolition had taken place on December 15, and that the total cost was \$4,222.13. She stated that the property owner had been notified, by regular or certified mail, of the cost of the abatement and had failed to pay. She stated that, therefore, she was requesting the Council's approval to assess the property owner for the cost of this abatement.

President Culver asked if there was anyone in the audience who would like to address the Council on this particular matter.

There was no response.

President Culver stated that the public hearing was closed.

Councilman Kling read and introduced a resolution

authorizing the City Clerk-Treasurer to assess the cost of demolishing the property located at 1615 Lucille Street NW., as follows:

(RESOLUTION NO. 16-004)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Russell.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

President Culver recognized Ms. Jordan.

Ms. Jordan stated that the above resolution identified 20 properties that were in violation of the City's grass and weeds ordinance. She continued that these properties were identified in Attachment A. She stated that the owners had received written notification, by regular mail, that they were in violation of the ordinance, and that each property owner had been given 14 days to come into compliance. She stated that they had all failed to respond, and that work orders had been issued to cut these properties. She stated that Attachment A also identified the date and the cost for cutting these properties. She stated that at this time she was asking the Council to assess these property owners for the cost of cutting

their overgrown grass and weeds.

President Culver asked if there was anyone in the audience who would like to address the Council on this particular matter.

There was no response.

President Culver stated that the public hearing was closed.

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties, as follows:

(RESOLUTION NO. 16-005)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Culver asked if there was any discussion of the above resolution.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated that she had a question concerning this resolution as well as the preceding resolution. She stated that certain property owners were listed as "Deceased" and asked how this would work.

Ms. Jordan stated that the billing would go to the heirs of the property.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-005, and it was unanimously adopted.

President Culver stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the City Clerk-Treasurer to assess the cost of boarding and securing against certain properties.

President Culver recognized Ms. Jordan.

Ms. Jordan stated that the property at 3120 Andros Drive, SW, had been found standing open and accessible and that Community Development staff had boarded and secured the property, at a cost of \$315.21.

Ms. Jordan stated that the owner had received a written request for payment and had failed to respond. She continued that she was requesting that this abatement be assessed to the property owner so that the City could collect this cost.

President Culver asked if there was anyone in the audience who would like to address the Council on this particular matter.

Ms. Jackie Reed appeared before the Council, stating that she would like to ask some questions about boarding and securing properties. She asked if it was correct that they had sent out a certified letter to the property owner.

Ms. Jordan replied in the affirmative.

Ms. Reed stated that she just wondered if persons were notified correctly in such situations. She asked if anyone cared about this.

President Culver asked Ms. Reed to direct her questions to the Council.

Ms. Reed stated that she was doing so.

President Culver asked Ms. Jordan if she would like to respond to Ms. Reed's questions.

Ms. Jordan replied in the affirmative. She stated that all property owners were notified based on information at the Tax Assessor's office. She continued that they were required by law to communicate with property owners in this manner.

President Culver asked Ms. Reed if that satisfied her inquiry.

Ms. Reed replied in the affirmative.

President Culver asked if there was anyone else in the audience who would like to address the Council on this particular issue.

There was no response.

President Culver stated that the public hearing was closed.

Councilman Kling read and introduced a resolution authorizing the City Clerk-Treasurer to assess the cost of boarding and securing against certain property, as follows:

(RESOLUTION NO. 16-006)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Russell.

President Culver asked if there was any discussion of the

above resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver stated that it was the time and place in the meeting for a public hearing on a resolution authorizing the City Clerk-Treasurer to assess the cost of demolishing property located at 2914 8th Avenue, SW.

President Culver recognized Ms. Jordan.

Ms. Jordan stated that on September 10, 2015, at the Regular Council Meeting, the Council had given Community Development the authority to demolish this structure. She stated that this demolition had taken place on October 29, and that the cost for this abatement was \$3,356.20. She stated that at this time she was asking the Council for approval to assess the property owner for this cost.

President Culver asked if there was anyone in the audience who would like to address the Council on this particular matter.

Ms. Jackie Reed appeared before the Council, stating that she was confused and concerned about Community Development. She asked if this charge was for \$3,000, and the property owner could not pay the bill, what would then happen to that property.

President Culver asked Ms. Jordan if she would like to address Ms. Reed's question.

Ms. Jordan replied in the affirmative. She stated that a lien would be place on the property by the Council's action at this time, and that should the property be sold or acquired by someone else, through any kind of transaction, the lien would be repaid to Community Development. She stated that they had had a lot of success in the past in recouping such costs, and that hopefully that would happen in this case as well.

President Culver asked Mr. Trey Riley, City Attorney, if a future property owner would be made aware of the lien prior to purchasing the property.

Mr. Riley stated that generally the liens were recorded of record, so that when a transaction such as this took place, there would be a property search done, and the lien would be identified under that circumstance.

President Culver asked if it was correct, then, that someone would take new ownership of the property with knowledge of the lien.

Mr. Riley stated that it would be subject to existing liens, just as if it were a mortgage or something else there, that it would be recorded, and that persons would take the property with notice of that.

President Culver asked Ms. Reed if her inquiry had been satisfied.

Ms. Reed replied in the affirmative.

President Culver asked if there was anyone else in the audience would like to address the Council on this particular

issue.

There was no response.

President Culver stated that the public hearing was closed.

Councilman Russell read and introduced a resolution authorizing the City Clerk-Treasurer to assess the cost of demolishing property located at 2914 8th Avenue, SW, as follows:

(RESOLUTION NO. 16-007)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver asked if there was any further discussion of this resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver stated that the next item on the agenda was Public Hearings To Be Set.

Councilman Russell read and introduced a resolution to set a public hearing on an ordinance amending the City of Huntsville Air Pollution Control Rules and Regulations, at the March 10, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-008)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Showers.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

Councilman Russell read and introduced Ordinance No. 16-009, amending the City of Huntsville Air Pollution Control Rules and Regulations.

Councilman Russell read and introduced a resolution to set a public hearing on an ordinance zoning newly annexed property lying east of U.S. Highway 431 South and on the west side of Goose Ridge Drive as Residence 1-A District at the February 25, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-010)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

Councilman Russell read and introduced Ordinance No. 16-011, zoning newly annexed property lying east of U.S. Highway 431 South and on the west side of Goose Ridge Drive as Residence 1-A District.

Councilman Russell read and introduced a resolution to set a public hearing for suspension of Licensure for certain taxpayers, at the January 28, 2016, Regular Council Meeting, as follows:

(RESOLUTION NO. 16-012)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver stated that the next item on the agenda was Communications from the Public. He stated that persons would have approximately three minutes to address the Council.

Ms. Lineise Arnold, Buckingham Drive, appeared before the Council, stating that she would be speaking on behalf of the North Alabama Coalition for the Homeless. She stated that she would like to inform them of NACH's proactive efforts to go ahead and organize their emergency warming centers for their clients who would be out in the cold in extreme weather conditions. She continued that she would like to share these plans with the Council at this time.

Ms. Arnold stated that their Emergency Shelter Warming Centers plans were as follows: At 40 degrees or below, the Downtown Rescue Mission will allow all clients to come on a flexible admission policy, with the exception of if a person had been banned for life, or a permanent barring. Admission will be granted at 4 p.m. Capacity for 35 women overnight, 125 men, 50 women and children, under the children's program, for a total of 210. She stated that they had a policy that they would not turn people away if they were intoxicated as long as their behavior was appropriate, as well as they would

make special accommodations for any overflow that would exceed the 210 number.

Ms. Arnold stated that the Salvation Army would allow flexible admission policies at 40 degrees or below. She stated that they required that the clients take a Breathalyzer test. She continued that admission times would be from 5:30 to 9:30 p.m. She stated that they had the capacity to hold 16 women and 35 men, for a total of 51. She stated that they would allow clients to stay at their shelter without identification.

Ms. Arnold stated that the Downtown Rescue Mission would allow clients to stay at the shelter without a State ID if they had a Continuum of Care ID, which she noted was issued by the Continuum of Care, as well as another form of identification, such as a local library card.

Ms. Arnold stated that the extreme cold weather policies would be for 35 degrees and below for a 24-hour period. She stated that the location of the extreme weather shelter would be, once again, Grateful Life Church for individuals and RiahRose for families, noting that this would be single women with children. She stated the capacity at Grateful Life would be approximately 50 to 55.

Ms. Arnold stated that in the past, the City had been helpful in providing transportation to the emergency warming centers. She continued that they also needed financial assistance to help with the purchase of food, toiletries, and

utility bills incurred at the Grateful Life facility, as well as blankets and other necessities. She stated that they also used emergency hotel vouchers for families, married persons with children, that they did not have a shelter place for, and this was for times when the weather was 35 degrees and below for a 24-hour period.

Ms. Arnold stated that they had a special request at this time because they were trying to replace the cots they currently used at the emergency warming center. She continued that the cots they had had been donated by one of the other organizations, and that they had been appreciative of these, but that the condition of the cots made them not safe for their clients. She stated that at this time they were attempting to raise \$6,000 to purchase new cots. She stated that, at a minimum, they would need \$4,000 to acquire these medical-type, flat cots.

Ms. Arnold stated that they had set up a GoFundMe account to try to raise funds for the purchase of the new cots.

Ms. Arnold stated that the NACH Point in Time Count would be conducted on Tuesday, January 26, and would be based off of the clients' locations on Monday, the 25th.

Ms. Arnold stated that the NACH satellite office located at the Huntsville Public Library would extend its service hours, as well as service days, to meet the needs of increased utilization.

President Culver thanked Ms. Arnold for her presentation

and for all this group did.

President Culver stated that he would also like to thank the Police Department for their response when the temperature had dropped a couple of weeks prior, noting that they had gone into action, and that as a result of that, no one had perished as a result of the weather.

Ms. Jackie Reed, Jack Coleman Drive, appeared before the Council, expressing appreciation to them for allowing public input. She wished everyone a safe, happy, healthy New Year. She stated that she wished the leaders would focus more and deeper on issues throughout the city and not just certain little areas where they put a lot of money. She stated that she wanted them to focus on the whole city, as to what was going on around them.

Ms. Reed stated that she did not know if they had gotten new microphones, but that it seemed they could be heard better. She thanked them for speaking into their microphones.

Ms. Reed stated that out in front of the building there were parking spaces in the daytime for delivery trucks, et cetera, and asked if the stenographer could be allotted one of those parking spaces on the nights of Council meetings. She stated that the stenographer had not mentioned this to her, but that it would be nice if they would allow her this parking space.

Ms. Reed stated that Maple Hill Cemetery looked like heaven, thanks to Joy McKee. She stated that Ms. McKee had

done a lot of work there and there were a lot of new burial spaces. She stated that she did not believe Ms. McKee had been recognized enough for what she had done there. She stated that persons should go there and look around, that it was a beautiful place.

Ms. Reed stated that when police officers went on private property and wrote up incident reports, they should be aware that there were two sides to every story, not just one from one person. She stated that she believed that no matter what went on in life, there were two sides to every story. She stated that the officer should not just write what one person said, noting that insurance companies might believe it. She stated that they should make certain they looked into matters before they started writing out something and taking sides with one person.

Ms. Reed stated that traffic in the city was very, very bad, that they needed to slow down some of the speeders. She stated that persons who wanted to live in a big city should just move and go on to a big city, noting that she never wanted to live in a big city. She stated that she really would like to see some of the speeders slow down. She stated that there were almost 200 school buses going through the city twice a day. She continued that she had been opposed to this. She stated that people should slow down, that there were a lot of 16-year-old's on the streets, and that it was very dangerous.

President Culver stated that the next item on the agenda

was Huntsville Utilities Items.

Councilman Kling read and introduced a resolution authorizing reimbursement for Huntsville Utilities for Electric Capital Improvement expenditures, as required by IRS regulations, as follows:

(RESOLUTION NO. 16-013)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver recognized Mr. Joe Gehrdes of Huntsville Utilities.

Mr. Gehrdes stated that this was a standard item for Huntsville Utilities, that it involved the reimbursement for what they would characterize as mostly routine projects for the growth of the system and to continue to improve their reliability and redundancy, to the tune of approximately \$37 million. He stated that this process was a requirement by the IRS so that Utilities could be reimbursed for the work they did through this process.

President Culver asked if there was any further discussion of this resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to execute a Tri-Party agreement among

TVA, the City of Huntsville, and Ridgeview Industries, Inc., allowing Ridgeview Industries, Inc., to participate in the Valley Incentive Program (VIP), as follows:

(RESOLUTION NO. 16-014)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver recognized Mr. Gehrdes.

Mr. Gehrdes stated that this was a pretty standard Tri-Party agreement. He continued that, of course, each of these agreements was unique between the company, TVA, and Huntsville Utilities. He stated that it was an economic incentive package where in exchange for the company's growth in the area, TVA gave them bill credit so they could save money on their electric consumption.

President Culver asked if there was any further discussion of this resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing approval for purchase of outside services to repave California Street (PR 10204461) (Utilities: Gas), as follows:

(RESOLUTION NO. 16-015)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by

Councilwoman Robinson.

President Culver recognized Mr. Gehrdes.

Mr. Gehrdes stated that he felt sure persons had noticed they had been doing quite a lot of work to their gas lines that ran underneath California Street and noted that this was simply an ordinance approving them to obtain outside services to do the repaving when they had completed this work.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver read and introduced Ordinance No. 16-016, to allow the Huntsville Utilities Electric Board to lease and set rates for excess dark fiber.

President Culver stated that the Council would consider the above ordinance at its next regular meeting but stated that there could be discussion at this time if it was requested.

Councilman Kling asked if Mr. Gehrdes could give a 30-second overview of this ordinance for the public's benefit.

Mr. Gehrdes stated that he believed Utilities had explained to the Council on several occasions that they required a fiber optics network for the operation of their systems. He stated that they were beefing up this capability, and that in doing so, they would have some excess space left. He stated that the above ordinance, when it was ready for

approval, would give its Electric Board the ability to lease the excess bandwidth to companies that were interested in using it, in order to help them recoup some of the cost of installing the fiber.

Mayor Battle stated that this might also apply to the City of Huntsville, that as they needed fiber in certain places where they did not have it, they might be working with Huntsville Utilities on this. He continued that, also, the School System might be working with Huntsville Utilities. He stated that it was a very broad brush that Huntsville Utilities was using, but that it gave many of them capacity they would not have had in the past.

President Culver asked Mr. Gehrdes if it was correct that he would be prepared to discuss this matter more in depth at the next meeting of the Council.

Mr. Gehrdes replied in the affirmative.

President Culver stated that the next item on the agenda was Board Appointments to be Voted on.

Councilman Kling read and introduced a resolution to appoint Steve Hettinger to the Solid Waste Disposal Authority of the City of Huntsville, Fourth Director, for a term to begin January 14, 2016, and expire January 12, 2020, as follows:

(RESOLUTION NO. 16-017)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Russell.

President Culver asked if there was any discussion of the above resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

Councilman Kling read and introduced a resolution to reappoint Dr. Eddie Greene to the Medical Clinic Board of Huntsville, Alabama-1973, for a term to begin January 24, 2016, and expire January 24, 2022, as follows:

(RESOLUTION NO. 16-018)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Russell.

President Culver asked if there was any discussion of the above resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

Councilman Kling read and introduced a resolution to reappoint Ernest J. Potter, Jr., to the University of Alabama in Huntsville Public Educational Building Authority, for a term to begin January 14, 2016, and expire November 11, 2021, as follows:

(RESOLUTION NO. 16-019)

Councilman Kling moved for approval of the foregoing resolution, which motion was duly seconded by

Councilman Russell.

President Culver asked if there was any discussion of the above resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver stated that the next item on the agenda was Board Appointment Nominations.

Councilman Showers nominated Lady Shivers Tucker for reappointment to the Huntsville Public Library Board, for a term to begin February 10, 2016, and expire February 10, 2020.

Councilman Showers nominated Carter Wells for reappointment to the Huntsville Public Library Board, for a term to begin February 10, 2016, and expire February 10, 2020.

Councilman Kling nominated James Lomax for appointment to the Medical Clinic Board-Fifth Avenue, for a term to expire January 11, 2020.

Councilman Kling nominated Kathleen Erwin for reappointment to the Medical Clinic Board of Huntsville, Alabama-1973, for a term to expire January 24, 2020.

Councilman Kling nominated Frank Caprio for reappointment to the Huntsville-Madison County Emergency Management Board, for a term to expire July 1, 2020.

Councilman Kling nominated Mack N. Ford for reappointment to the Board of Examinations and Appeals for Construction Industries, Place 1, for a term to expire September 21, 2018.

Councilman Kling nominated Major Stephen Thomas for reappointment to the Educational Building Authority of the City of Huntsville-APT, for a term to expire November 10, 2021.

Councilman Kling nominated Colin Hale McKee for reappointment to the Educational Building Authority of the City of Huntsville-Faulkner University, for a term to expire November 10, 2021.

Councilman Kling nominated Jeanne Weaver for reappointment to the Educational Building Authority of the City of Huntsville-Holy Spirit, for a term to expire November 10, 2021.

Councilman Kling nominated W. Evans Quinlivan for reappointment to the Educational Building Authority of the City of Huntsville-Pope John Paul II High School, for a term to expire November 10, 2021.

President Culver asked if there were any further nominations.

There was no response.

President Culver stated that the next item on the agenda was Approval of Expenditures.

Councilman Showers read and introduced a resolution authorizing expenditures for payment, as follows:

(RESOLUTION NO. 16-020)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Kling.

President Culver asked if there was any discussion of the above resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

President Culver asked Councilman Showers if there was a Finance Committee report.

Councilman Showers asked Ms. Margaret Sargent, Finance Director, if she had a report at this time.

Ms. Sargent stated that she did not, other than that they had the December numbers, and they were still tracking in a positive direction for the new fiscal year.

President Culver asked if there were any questions for Ms. Sargent.

President Culver recognized Councilman Kling.

Councilman Kling asked Ms. Sargent if she knew when the Council would be receiving the numbers that would give them an idea as to how they had done on sales tax for the Christmas season.

Ms. Sargent stated that they had received the December numbers, and that there was a 5.3 percent growth from the month of December of the prior year.

Mayor Battle stated that the December figure would reflect November's numbers, and the January figure would reflect December's numbers. He stated that persons had until the 20th of the month to turn in their taxes.

Councilman Kling stated that he believed those figures would give them a pretty good indication as to how they were

doing on sales tax based on the Christmas season.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated to Ms. Sargent that she had noticed on her report that it was a new format and that she assumed that was the new software they were using. She asked how this transition had gone for them, noting that she was aware that software conversions could sometimes be tricky.

Ms. Sargent stated that the report was in the new format, MUNIS, and that it was actually going very well. She stated that it was a very user-friendly system and she was self-teaching in it. She stated that they had found a few hiccups in it, and that there were some additional pages in the back of the report. She stated that she believed it was a very good system, and that once everyone was on board, it would go very well.

President Culver stated that the next item on the agenda was Communications from the Mayor. He recognized Mayor Battle.

Mayor Battle wished everyone a Happy New Year, noting that this year looked like it might be a record year. He stated that everyone appeared to have had their lists made and were ready to go, so that he was looking for good things in 2016.

Mayor Battle made the following appointments:

Reappointment of Isaac Beavers to the Advisory Commission on Accessibility, for a term to expire January 10, 2019.

Reappointment of Bryan Dodson to the Advisory Commission on Accessibility, for a term to expire January 10, 2019.

Mayor Battle stated that there would be many activities happening in the city in the following week. He stated that the following Monday was Martin Luther King Jr. Day.

Mayor Battle stated that there would be a parade in Downtown Huntsville on Saturday, January 16, at 11 a.m., sponsored by Alpha Phi Alpha. He stated that this organization was also sponsoring the Martin Luther King Jr. Breakfast on Monday, January 18, at 8 a.m.

Mayor Battle stated that there would be the Martin Luther King Jr. Emancipation Celebration on January 16 at 7 p.m. at the Progressive Union Church.

Mayor Battle stated that the following weekend would be Teacher Appreciation Weekend at the Space & Rocket Center, and that there would be free admission for teachers on January 16th and 17th.

Mayor Battle stated that Downtown Huntsville Winter Warmer Week would be returning to the city center on January 18 through January 22, for five days of craft beer goodness. He stated that the events would include "Meet the Brewers," "New Beer Debuts," "Beer Dinners," and a first-ever "Beer in Wine Barrels" event. He stated that this would start at Below the Radar on January 18 and close at A.M. Booth's Lumberyard on January 22.

Mayor Battle stated that also upcoming was the 10th year of "Scale Back Alabama" and stated that the weigh-in was by January 25th, noting that persons needed to put together their

teams. He stated that they were at this time putting together the Administration Team, and he was No. 1 on the list. He stated that persons could talk to the HR Department or the Employee Clinic and join the team, and they could get serious about losing weight in 2016.

President Culver stated that the next item on the agenda was Communications from Council Members.

President Culver recognized Councilman Showers.

Councilman Showers stated that he was delighted to be able to wish everyone a prosperous and happy New Year for 2016.

Councilman Showers stated that he would also like to remind the public that the annual MLK Breakfast would be held on the following Monday. He stated that there would also be a downtown parade in honor of Dr. King on the following Saturday, beginning at 11 a.m.

Councilman Showers stated that he would like to thank those persons who had expressed an interest in being a member of the North Huntsville Business Association. He stated that they were excited to announce that there would be the first meeting of the 2016 year on Monday, January 25, at 7:30 p.m., on the campus of Alabama A&M University, at the Knight Center in the main ballroom.

Councilman Showers stated Mr. Reginald McKenzie, the owner of Shark's Fish and Chicken on North Parkway, had agreed to serve as the facilitator of the Association and would be conducting the meeting. He stated that persons should feel

free to contact Mr. McKenzie at tmts007@bellsouth.net if they had any questions prior to the meeting.

Councilman Showers stated that the main goal of the meeting would be to start the process of establishing the goals of the Association. He stated that membership in the association was limited to licensed private businesses currently doing business within the geographic boundaries of Bob Wade Lane, Meridian Street, Pratt Avenue, University Drive, and Jordan Lane. He stated that they were looking forward to seeing everyone on Monday, January 25, at 7:30 p.m.

Councilman Showers stated that he was also delighted to announce at this time that Concerned Citizens for Johnson High School would meet on the following Tuesday at Johnson High School at 6 p.m. in the school auditorium. He stated that this was in conjunction with his last town meeting where they had passed out cards for those persons who would be interested in discussing what they would like to see as related to what would happen with Johnson High School when it closed in the current year. He stated that this meeting would be on January 26 at 6 p.m. in the school auditorium.

Councilman Showers stated that persons had heard him mention on several occasions the fact that Dr. Joseph Lowery, a long-time resident of Huntsville, would be honored and stated that the section of the street from Governors Drive to Pelham Avenue would soon be completed, and that they were planning to have the dedication, ribbon-cutting, and book

signing in the second week in February. He stated that he would advise persons later as to the exact date and time for this event.

Councilman Showers stated that he was a Bulldog, but that on the prior Monday evening, he had been a Roll Tide supporter. He continued that it was a good game.

President Culver recognized Councilman Russell.

Councilman Russell wished everyone a Happy New Year, stating that he especially wanted to thank Huntsville Fire, Huntsville Police, Public Works, and all the people who had had to work over the holidays. He stated that he always admired their ability to work Christmas Eve, Christmas, New Year's Eve, and New Year's Day, noting that he believed it took special people to be able to do that. He stated that he certainly appreciated all the persons who did that for the city.

Councilman Russell stated that he would also like to thank the Parks and Recreation Department, noting that in District 2, there were many, many kids who used the City's recreational services, and that the gyms had been full, with kids playing basketball. He stated that they had practice times lined up as much as they could, and they were using every available gym in District 2, that they were playing a lot of games anywhere they could find to play. He stated that he certainly appreciated Steve Ivey and all the persons who worked for him for what they did. He stated that he had been able to visit several of the gyms on the prior Saturday, and they were all very organized,

and the kids were having fun and the parents were behaving, that it was a good experience, and that this really built community in the area. He thanked them for this program.

Councilman Russell stated that the city of Huntsville was doing very well in basketball, that the Johnson Boys were ranked in the Top 10, that Lee's Boys and Girls were ranked in the Top 10, Columbia was ranked in the Top 10, Grissom was ranked in the Top 10, the Westminster Boys were ranked in the Top 10, and Madison Academy Girls and Boys were ranked in the Top 10. He stated that Huntsville had become quite a basketball city and urged persons to go out and watch some local basketball and help the schools out.

Councilman Russell stated that, weather permitting, beginning Thursday, January 21, Clinton Avenue would be converted from a one-way street to a two-way street from Washington Street to Spragins Avenue, and that motorists were advised to use caution and obey all traffic control signs and pavement markings. He stated that hopefully this would work out well and there could be more two-way streets in the downtown area.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson stated that the first edition of her newsletter had come out on January 5th. She thanked Kelly Schrimsher for her assistance in making this happen. She stated that she had had many very positive responses from constituents and community members about this and that she

hoped to continue to send it out. She stated that anyone who was interested in receiving the newsletter could email her and be added to the list.

Councilwoman Robinson stated that they had started the new year right by having the first meeting of the year of the South Huntsville Business Association the prior week, with Col. Bill Marks giving an update on the Arsenal, and also receiving input from the South Huntsville Business Association members about how the Arsenal could potentially partner with those businesses, particularly in alleviating traffic flow with the construction by working with gate openings and closings.

Councilwoman Robinson stated that the South Huntsville Business Association would be meeting again on February 12, and that the purpose would be to discuss businesses in South Huntsville that were still open for business. She stated that the resounding message she continued to hear from many of the business owners was that it would not really be as bad as some people would think it would be. She continued that it was a construction zone, that there was construction, and that they wanted persons to be patient and to be careful. She continued that the traffic management in the area was being handled well and traffic was moving steadily, if a little bit more slowly than usual. She stated that they wanted these businesses to continue to thrive during this time.

Councilwoman Robinson stated that in order to help persons to better understand the construction issues that were

occurring and to get a public briefing, she would be having a Town Hall Meeting on February 1 at 6:30 p.m. at the Bailey Cove Library, and that ALDOT and Kathy Martin from City Engineering would provide an update on the time lines, closures, and how this would impact traffic in South Huntsville. She stated that this meeting had originally been scheduled for January 11, but that they had had the good sense to move it from the night of the game to February 1 so that more persons would be able to attend. She reiterated that this would be February 1 at 6:30 p.m., at the Bailey Cove Library, for a public update on construction.

Councilwoman Robinson stated that she would like to close by wishing two of the most important men in her life, her husband and her grandson, a Happy Birthday.

President Culver recognized Councilman Kling.

Councilman Kling asked that the record reflect the passing of a gentleman who had certainly done a lot of elected service in the community. He stated that persons knew Frank Riddick for what he had done in serving as Probate Judge, and that some persons might recall that in addition to that, he had previously served as a member of the State Legislature, and prior to that, he had actually been a member of the Huntsville City Council. He stated that he had served as a member of the Council from 1968 to 1970, and then he had gone into the State Legislature, and then into County Government. He stated that Mr. Riddick was a dedicated public servant, and that he

certainly appreciated what he had meant to the community. He stated that his thoughts went out to the family on their loss.

Councilman Kling stated that normally he would be holding his Town Meeting on the third Monday of the month but that because of the Library being closed, he would not be holding the meeting at that time. He continued that he would pick back up on the Town Meeting when the Library was open.

Councilman Kling stated that he felt the Traffic Engineering Department, John Hamilton, and Shane Davis, as well as a lot of other folks, deserved some accolades for having taken care of the need for signage in the lower Piedmont neighborhood. He stated that the feedback he had received about this from the neighborhood had been very positive, that they appreciated the signage being posted. He continued that this should take care of a problem concerning trucks that had been going on for a long period of time.

Councilman Kling stated that he believed there was a person watching this meeting who lived in the Westlawn neighborhood, and that she had had a long-standing problem, which he had been discussing with her for quite some time. He stated that they had had some efforts made, and the problem had been somewhat alleviated, but that it had come back again. He stated that prior to the meeting, he had sat down with the Police Chief and talked to him about this problem and had given him this person's letter, and that they would follow up and work on this problem. He stated that this person had not

wanted her identity to be revealed. He continued that hopefully she would see some significant improvement taking place in her neighborhood.

President Culver stated that his new year had started out with a bang, that his daughter, who had graduated from medical school, and her husband had given him his first grandbaby, that he had a grandson who was 7 pounds, 15 ounces. He stated that he had been visiting them so much that he had convinced them to move to Huntsville until she started her residency.

President Culver wished everyone a Happy New Year, stating that he was looking forward to a very progressive new year.

President Culver thanked Councilman Russell for all the input he had given and stated that his commitment to the Council was to do the very best he could with what he had been tasked with, so that they would have a great 2016.

President Culver stated that the next item on the agenda was Unfinished Business Items for Action.

Councilman Kling moved for approval of Ordinance No. 15-951, amending Chapter 12, Article IV, Division 1, Stormwater Management, of the Code of Ordinances of the City of Huntsville, Alabama, which ordinance was introduced at the December 17, 2015, Regular Council Meeting, as follows:

(ORDINANCE NO. 15-951)

Said motion was duly seconded by Councilwoman Robinson.

President Culver asked if there was any discussion of the above ordinance.

President Culver recognized Councilman Russell.

Councilman Russell asked if he should address his questions to Councilman Kling or to someone on the staff.

Councilman Kling stated that they probably should be addressed to Kathy Martin.

Ms. Kathy Martin, Director of Engineering, appeared at the microphone.

Councilman Russell stated that he would like a brief explanation of the above ordinance, noting that Councilman Kling had said this was a simple ordinance, but that when he checked the redline changes, there were several pages of changes that were being made. He asked if this could be explained to the Council and to the public.

Ms. Martin stated that the intent of the change was to allow for the issuance of C.O.'s, Certificates of Occupancy, by way of temporary seeding, temporary erosion control, during inclement weather. She stated that this was how the ordinance had originated.

Councilman Kling stated that that was the concept he had been speaking of.

Ms. Martin stated that they had taken the opportunity to update the ordinance, as well, since it had not been updated since 1991. She stated that some of the standard operating procedures that they did at this time needed to be updated, as well.

Councilman Russell asked Ms. Martin if she believed it was a good idea to issue C.O.'s prior to the landscaping being done.

Ms. Martin stated that during periods of inclement weather when they could not get a full stand of grass established, this would give them the opportunity to do temporary erosion control measures, which she noted satisfied the ADEM requirements. She continued that the rights-of-way and easements would be required to be fully sodded.

Councilman Russell asked if she believed this was a good idea.

Ms. Martin replied in the affirmative.

Councilman Russell stated that he represented many people, and that they were always complaining about the developer leaving before the job was done, and not doing the community the right way, and the City would let them off the hook. He continued that this was what this sounded like to him, that they would be allowing the developer to leave the yard bare, and that he believed he would be getting a lot of calls about why the City had issued a C.O. when the yard did not look nice. He asked if this was going to happen to him and to other Council members.

Ms. Martin stated that that was not the purpose of this. She continued that the fact that the rights-of-way and easements would be fully grassed would keep any mud and debris from coming out to the roadways or clogging the storm drainage

systems. She stated that internal to the site, they would be required to put silt fences and seed and straw, so the intent would be that within 90 days, the builder would come back and fully sod the site, once the inclement weather period had passed.

Councilman Russell asked Ms. Martin how often she had seen this situation, if it was something that was going to happen all over town or if it was very rarely that a developer needed to get a C.O. without doing the yard.

Ms. Martin stated that the way the ordinance was written, it would be a fairly unusual circumstance that they would do this, because inclement weather was defined as "a prolonged period of heavy rain, high winds, frost, or similar weather conditions, that render permanent stabilization unattainable." She continued that the intent would still be to have a full stand of grass unless these conditions existed.

Councilman Russell stated that he was going to vote in favor of this ordinance because Councilman Kling had always been a defender of the neighborhoods, and that he was going to trust that in this case he was defending the neighborhoods. He continued that Ms. Martin had stated that she believed this was a good idea. He stated that he was skeptical concerning this, and the Council might have to revisit it, but they would try it and see.

Councilman Kling stated that, as persons were aware, they were in that "fun" part of the year, which ran from mid-January

through the middle of March. He continued that sometimes they had this even in the fall, where it was cold and rainy, and people would not be able to landscape. He stated that there were people who would be coming into the city from out of town, and they would want to move into their houses. He stated that perhaps one of the rationales was that an occupied house was better than a empty house.

Councilman Kling stated that if all the construction standards had been met as far as the structure, et cetera, this would be one way Huntsville could be just a little friendlier, to help people who were coming in from out of town. He stated that between Ms. Martin and ADEM, there were a good amount of safeguards that were in there, and that this was not anything that should run amuck. He stated that he believed this would provide persons the opportunity to move into a house earlier rather than having to wait because even though they were done with the house, they could not move in because the landscaping had not been done.

Councilman Russell stated to Ms. Martin that he had heard her talk about inclement weather but that Councilman Kling had never mentioned inclement weather. He stated that it was his understanding that if the weather was perfectly fine, they had to landscape the yard. He asked if this was correct.

Ms. Martin replied in the affirmative.

Councilman Russell asked what would be an example of "inclement weather." He asked if it was correct that they had

not had inclement weather recently, except perhaps at Christmas when it had rained.

Ms. Martin stated that that was correct. She stated that this would be during heavy periods of rain, where the yards were completely saturated. She stated that at such time there would be no reason to put the sod down and ruin the sod. She stated that in those extreme circumstances, of heavy winds or frost, or unable to get sod delivered to the site, if persons needed to move in and the conditions of the property did not impact any public infrastructure or adjacent neighbors, they would have the ability to give them the option of putting temporary control measures down in order to get a C.O. on the house.

President Culver recognized Councilman Kling.

Councilman Kling stated that what he had been referring to was that this time of the year, mid-January, February, and March, was kind of the cold, wet, rainy time, and that was what he had been using as an example. He stated that he believed Ms. Martin had put together good safeguards on this.

President Culver asked Councilman Kling if it was safe to say that he and Ms. Martin were both saying the same things on this.

Councilman Kling stated that he believed they were, that he was just making reference to the weather at this time of the year. He stated that he believed they were talking about the weather going down into the teens again in the following week,

with perhaps rain and snow coming in. He stated that he believed everyone could remember the weather they had had around the Christmas season.

President Culver stated to Councilman Russell that they could always come back and revisit this matter at his request.

Councilman Russell stated that he was well aware of that, and that if he needed to, he would certainly do it. He stated that he was hoping this would be an unusual circumstance, so that it did not happen, and that was what he had been told, so he was willing to try it.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson asked if it was correct that in order for a contractor to be able to take advantage of this ordinance, in order to get the C.O., it would have to be demonstrated that there was, in fact, inclement weather of an extreme nature that would not permit him to put in landscaping.

Ms. Martin stated that that was correct, that they would have to determine if there was inclement weather and he could not put in the sod. She continued that he would still have to put in a silt fence, seed, and straw.

Councilwoman Robinson asked if it would be those minimum standards.

Ms. Martin replied in the affirmative.

Councilwoman Robinson asked if after those minimum standards, the contractor would have to put down the sod.

Ms. Martin stated that that was correct.

Councilwoman Robinson noted that the C.O. would have been already delivered and asked whose responsibility it would be to make sure the sod went down.

Ms. Martin stated that it would be the responsibility of the Engineering Department. She continued that the ordinance stated that within 90 days, they had the ability to issue a citation if it were not down.

President Culver asked if there was any further discussion of the above ordinance.

A member of the audience asked if he could address the Council.

President Culver replied in the affirmative.

Mr. Howell Lee appeared before the Council, stating that he was a member of the Huntsville/Madison County Builders Association. He continued that he lived in Owens Crossroads, that he was not a Huntsville resident.

Mr. Lee stated that he would like to thank the Engineering Department, and specifically Kathy Martin, for working diligently for over three months on this matter. He stated to Councilman Russell that he could assure him that the Engineering Department had covered the ADEM requirements, as far as not violating any ADEM requirements. He stated that there had been droughts for the past 10 or 15 years that had changed the pattern of winters. He continued that 15 years prior, it had started raining in November and rained until about April, every third day. He stated that at this time they

were getting back into the pattern where there were not drought conditions, and it was raining a lot. He stated that for the prior 10 years, this had not been an issue, but that it was becoming an issue again.

Mr. Lee stated that if it was too wet, ecologywise and otherwise, the sod could not be put down, that if they put it down, it would not take and would be dead, and the homeowner would be very upset with everyone in town. He continued that they would say that the Engineering Department had inspected it. He stated that it would have died after that because it was too wet and fungus and mold would kill it.

Mr. Lee stated that they were attempting to do this not for the contractors but for the homeowners, that it was for the homeowners. He stated that whether it was across town or across the country, when people moved, they had their furniture and household goods, and if they could not get a C.O. and move in, they would have to store it and live in a motel until they could get the power turned on. He stated that heat or air could not be run on temporary service, that there was not enough power to run it, so that the permanent service had to be connected in order for persons to occupy a house.

Mr. Lee stated that he believed the last thing anyone wanted was for new residents coming in, or existing residents moving across town into a new house, to have a bad taste in their mouth about Huntsville before they would even get moved in. He stated that they were strictly trying to accommodate

the people who were moving and relocating, whether from within town or from across the country. He stated that they could get these persons into homes and meet the ADEM requirements temporarily and give the builder time for the property to dry out and be landscaped. He stated that the purpose of this ordinance was just to try to do a service for these people, noting that the builders' hands were tied in such situations, that the landscapers could not grade the yard or put the sod down because it would be too wet. He stated that this had occurred a number of times since November of the prior year. He stated that in his recollection, this was the first time this had been an issue for about 10 years.

Mr. Lee stated that the City had handled this with an escrow in the past. He continued that, wisely, the Engineering Department wanted to get out of the escrow business, that they did not want to be responsible for handling the funds and hiring the landscaper, and then for the property owner, if they were not satisfied with the landscaper, to be looking at the City Engineering Department rather than the builder. He stated that he believed it was wise on the part of the Engineering Department to get out of the middle of this and let it be the homeowner and the builder, within 90 days after they moved in, rather than putting up an escrow amount or whatever

Councilman Russell stated that he basically agreed with Mr. Lee, but that what he was worried about was if they did not

do this within 90 days, what would happen. He continued that it might be that they would be cited, it would go to court, and it would take an additional year. He stated that if this were to happen, they would have this problem they could not solve, and the citizens would ask why they had issued the C.O. He stated that this was his only concern, and that it was his concern because it happened, that people often called him concerning this. He stated that he was just wondering why they were making this change.

Councilman Russell stated that he would vote in favor of the ordinance, and that he hoped it worked out okay, that he was trusting everybody. He reiterated that he had had experiences with things like this, and the C.O. appeared to be what worked.

Mr. Lee stated that it absolutely did, but that in this case, with the landscaping, it would not be the City that would be in the middle of it, that it would be the homeowner and the contractor.

Councilman Russell stated that if they did not meet the 90-day requirement, it would be the neighborhood and the City involved in it.

Mr. Lee stated that what the ordinance did was to take the Engineering Department out of the loop as far as escrows or being the agent in the middle, between the builder and the homeowner.

Councilman Russell stated that his understanding was that the City would have to cite the builder or the homeowner for not doing what they were required to do in 90 days, and that that would put the City right in the middle of it, through the Court system, and then it would be out of everybody's hands.

Councilman Russell reiterated that he would vote in favor of it at this time and was hopeful that it would work.

President Culver asked Mr. Riley if he had any comments regarding this ordinance.

Mr. Riley replied in the negative, stating that he was satisfied with Ms. Martin's explanation. He continued that he believed they had worked real hard on this ordinance and the amendment to it, and that they had taken the proper steps to assure that there were enforcement capabilities.

President Culver asked if there was any further discussion of this ordinance.

There was no response.

President Culver called for the vote on Ordinance No. 15-951, and it was unanimously adopted.

President Culver stated that the next item on the agenda was New Business Items for Consideration or Action.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Cecilia Summers, as follows:

(RESOLUTION NO. 16-021)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement with low bidders meeting specifications as outlined in the attached Summary of Bids for Acceptance, as follows:

(RESOLUTION NO. 16-022)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced an ordinance amending Budget Ordinance No. 15-642 by changing the authorized strength of personnel in various departments, as follows:

(ORDINANCE NO. 16-023)

Councilman Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced an ordinance amending Budget Ordinance No. 15-642 by changing the appropriated funding for various departments and funds, as follows:

(ORDINANCE NO. 16-024)

Councilman Russell moved for approval of the foregoing ordinance, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution approving travel expense reports, as follows:

(RESOLUTION NO. 16-025)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Memorandum of Understanding between the City of Huntsville and Smart Growth America, pertaining to the award of a grant to be utilized for the completion of a technical assistance workshop which will aid the City of Huntsville in the implementation of smart growth strategies at the local and regional level, as follows:

(RESOLUTION NO. 16-026)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to apply for and execute an FY 2016-FY 2017 EPA Air Grant, in an amount up to \$200,000 in federal funding, to support the City's Air Pollution Control Program, as follows:

(RESOLUTION NO. 16-027)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Debra Hopson, as follows:

(RESOLUTION NO. 16-028)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a lease agreement between the City of Huntsville and the Green Mountain Volunteer Fire Department for the lease of a fire truck, as follows:

(RESOLUTION NO. 16-029)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and OMI, Inc., for Construction Materials Testing for Greenbrier Parkway, Phase II-A, combining Phase II with TIF Portion of Phase III-B, Project No. 71-16-RD02, as follows:

(RESOLUTION NO. 16-030)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell moved for approval of a request for authorization to advertise and fill position of Secretary II, Grade 10, and to fill at a step higher than minimum, within the pay grade, if necessary, which motion was duly seconded by Councilwoman Robinson and was unanimously approved.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and 4Site, Inc., for Engineering Design Services for Benaroya Lane Extension, Project No. 71-16-TI03, as follows:

(RESOLUTION NO. 16-031)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the City of Huntsville and the low bidder, Reed Contracting Services, Inc., for Periodic Bid for Asphalt Projects-2016, Project No. 71-16-SP12, as follows:

(RESOLUTION NO. 16-032)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the

City of Huntsville and Garver, L.L.C., for 2016 On-Call Surveying Services, Project No. 71-16-SP21, as follows:

(RESOLUTION NO. 16-033)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the City Attorney to settle the claim of Jerrica Thompson, as follows:

(RESOLUTION NO. 16-034)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Funding Agreement between the City of Huntsville and Lenox Park, L.P., for HOME, as follows:

(RESOLUTION NO. 16-035)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to execute Modification No. 3 to the agreement between the City of Huntsville and Family Services Center, Inc., for Home Investment Partnership funds, as follows:

(RESOLUTION NO. 16-036)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson and was unanimously adopted.

Councilman Russell moved for approval of a request for authorization to advertise and fill one position of Civil Engineer II, and to fill at a higher rate than minimum salary if necessary, which motion was duly seconded by Councilwoman Robinson and was unanimously approved.

Councilman Russell moved for approval of a request for authorization to advertise and fill one position of General Services Facilities Worker, and to fill at a higher rate than minimum salary if necessary, which motion was duly seconded by Councilwoman Robinson and was unanimously approved.

Councilman Russell moved for approval of a request for authorization to advertise and fill vacant Equipment Technician II position in the Fleet Services Division, at higher than minimum salary if necessary, which motion was duly seconded by Councilwoman Robinson and was unanimously approved.

Councilman Russell moved for approval of a request for authorization to advertise and fill vacant Equipment Service Worker position in the Fleet Services Division, at higher than minimum salary if necessary, which motion was duly seconded by Councilwoman Robinson and was unanimously approved.

Councilman Russell read and introduced a resolution declaring the City's intent to be reimbursed for the cost of

certain Capital Improvements from the proceeds of General Obligation Warrants, as follows:

(RESOLUTION NO. 16-037)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver asked Ms. Sargent for an explanation of the above resolution.

Ms. Sargent stated that at the December 17 meeting of the Council, it had been brought up that the City was purchasing land and some other items for which they would have to obtain funding. She stated that it was a requirement that the City state its intent to be reimbursed for this from the proceeds of Warrants which she stated were expected to be issued within the next 30 to 90 days.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

Councilman Showers read and introduced a resolution authorizing the Mayor to sign the plat "North Huntsville Industrial Park, Phase 5, Resubdivision of a Portion of Tract 1," as follows:

(RESOLUTION NO. 16-038)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver asked Mr. Jim McGuffey for an explanation of the above resolution.

Mr. McGuffey stated that this was a 165-acre tract of land located north of the North Huntsville Industrial Park, north of the Toyota Plant. He stated that the purpose of the plat was to establish the right-of-way along the property and utility and drainage easements. He continued that this was helping in establishing utility and drainage easements to this site and farther north.

President Culver asked if there was any further discussion of the above resolution.

President Culver recognized Councilman Showers.

Councilman Showers asked what the Council passing this at this time would do to enhance development in that part of North Huntsville.

Mr. McGuffey stated that currently the property was residentially zoned and the southwest corner of the property was commercially zoned. He continued that located to the south of this was the Industrial Park and stated that they hoped that this site was an opportunity site for growth in the future. He stated that the plat did not require any infrastructure upgrades, in terms of roads, but just utilities.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on the above resolution, and it was unanimously adopted.

Councilwoman Robinson read and introduced a resolution authorizing the Mayor to execute Modification No. 1 to the Consulting Agreement between the City of Huntsville and Schrimsher Company, as adopted and approved by the Huntsville City Council, pursuant to Resolution No. 15-121, as follows:

(RESOLUTION NO. 16-039)

Councilwoman Robinson moved for approval of the foregoing resolution, which motion was duly seconded by President Culver.

President Culver asked Mr. Hamilton for an explanation of the above resolution.

Mr. Hamilton stated that he believed the Council members were familiar with the contract they had had in place for a number of years with Schrimsher Company to provide communications support services to the City. He continued that this contract had come up in the current month for further extension, for another year. He stated that through discussions and guidance from Mayor Battle, they had been asked to explore taking this position back to a City employee position as it had been in prior years. He stated that it was taking some time to pull the paperwork together, et cetera, to get the position re-established. He continued that they were

going through this process at this time and that they would present to the Mayor what they thought this would look like before they would come before the Council with it.

Mr. Hamilton stated that in order to give them time to accomplish this, what was before the Council at this time was a 60-day extension of this contract, noting that this would give them two months to pull the paperwork together, et cetera, and then give the Council time to consider and take action on that proposal prior to the expiration of the contract.

Mayor Battle stated that this was a wage and hour issue. He stated that the previous City Attorney had suggested that they look at this because at this time there were much heavier penalties on wage and hour violations, where one was being used under a contract basis when the Government believed they should be under a wage and hour process. He stated that they were taking this advice from the previous counsel and were going to move to an employment-type situation.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson asked if this position did move to a full-time employee position, the position would have to be advertised.

Mayor Battle stated that this position would be a full-time employee position that would be an appointed position, just as department heads were. He continued that he was sure that anyone who came in as Mayor would want to put their own communications person in.

President Culver asked if there was any further discussion of this resolution.

President Culver recognized Councilman Russell.

Councilman Russell asked that when they did the job description, they consider other positions. He continued that they were asking for Brenda Martin's position in this meeting, and that there was a digital media specialist position they had just approved. He stated that he would like to see how all these positions worked together, including Kenny Anderson's position. He asked that they keep in mind that he would be asking questions concerning this.

Mr. Hamilton stated that this position would have supervisory responsibility over not only some other City employees, but that, also, if they had contracts that provided support services, it would also supervise and manage those contracts as well.

President Culver asked if there was any further discussion of this matter.

Councilman Kling stated that as the position was at this time, it worked primarily for the Mayor, but at the same time the position had been very helpful to Council members. He stated that Councilwoman Robinson had mentioned her newsletter, and, also, it had assisted him in getting faxes out concerning town meetings, et cetera. He stated that he would hope that the job description, in whatever form it came out, would still keep some accessibility for Council members for these things.

Mr. Hamilton stated that it would, noting that he believed they would actually see it as an expanded role in those terms. He stated that it would not be the Mayor's Director of Communications, that it would be the City's Director of Communications, just as other department heads served the entire City. He stated that there were other departments that had a significant marketing or public messaging role, such as the Police Department and Parks and Recreation, and that this position would have a role in helping to synchronize their efforts and support them in the work they did inside the departments.

President Culver asked if there was any further discussion of this matter.

There was no response.

President Culver called for the vote on Resolution No. 16-039, and it was unanimously adopted.

Councilman Showers read and introduced a resolution authorizing the Mayor to enter into the Third Amendment to the Real Estate Purchase Option Agreement between the City of Huntsville, the Industrial Development Board of the City of Huntsville, and Belle Mina Farm, LTD., previously identified as "Sewell Family Limited Partnership," as follows:

(RESOLUTION NO. 16-040)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver asked if there was any discussion of the above resolution.

President Culver recognized Councilman Russell.

Councilman Russell asked Mr. Shane Davis, Director of Urban Development, how long the amendment was for.

Mr. Davis stated that it was a four-year period.

Councilman Russell inquired as to how long they had had this property under option.

Mr. Davis stated that it was since 2010.

Councilman Russell asked if there would be a way to get a longer commitment or what they should expect. He asked if four years was really long.

Mr. Davis stated that that was a very good question.

Mr. Davis stated that in the past, they had first had a three-year option, and then it had been on a two-year basis.

Mr. Davis stated that this was the last remaining piece in order to get the site fully certified as a TVA megasite. He continued that some of the rules had changed. He stated that there used to be a 12-month option, and that now it had gone to a 24-month. He stated that they wanted to be able to carry this through two megasite certification periods, and that the landowner had agreed to let them have a four-year period. He stated that the rate of the option was at \$25,000 per acre, noting that this was 20 percent less than the Polaris site. He stated that they had it at a very good rate, and that he felt it was a great investment for the City. He continued that with

Polaris and GE Aviation out there, naturally property values were going to rise, so that getting this for four years at this price was a very good investment for the City.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-040, and it was unanimously adopted.

Councilman Showers read and introduced a resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Brenda M. Martin, as follows:

(RESOLUTION NO. 16-041)

Councilman Showers moved for approval of the foregoing resolution, which motion was duly seconded by President Culver.

President Culver asked Mr. Hamilton for an explanation of the above resolution.

Mr. Hamilton stated that this was a one-year extension on a pre-existing contract with Brenda Martin. He stated that she, in a part-time role, provided services in producing her shows, as the host, on the City's TV channel, as well as doing some PSA segments that went both to television and to some on-line platforms. He stated that Ms. Martin brought in members of the community, as well as leadership throughout the city, and used it in helping to spread their message, getting information out to the community.

Mr. Hamilton stated that she had served in that role, hosting and pulling these things together, writing and producing the shows, and getting that information out onto their various platforms.

President Culver recognized Councilman Russell.

Councilman Russell asked Mr. Hamilton why this was of value to the City.

Mayor Battle stated that he believed this was one of the things that had a lot of value to the City. He asked without newspaper coverage and without media coverage, how they would get their message out as to what they did, why they did it, what the strategy was behind it, and what the function of government was. He stated that this job, along with Ms. Schrimsher, and along with the social media persons, was to make sure that people understood what the City was doing and why they were doing it. He stated that in a vacuum, people would naturally assume the worst, and that they wanted to make sure there was not a vacuum out there, that they did have a proper system of public information so that the public would understand what they were doing with their tax dollars and why they were doing it, what their final strategy was, and how they could make sure the citizens were informed of what they were doing.

Councilman Russell inquired of Mr. Hamilton as to why, if this was so important, they did not have a full-time person doing it.

Mr. Hamilton stated that as they had looked at the scope and the amount of work, it did not require a full-time position. He stated that Ms. Martin was typically working 12 to 20 hours per week, depending on what might happen in that particular week, and that that was sufficient to produce the number of shows and things that they were doing. He continued that as they were working on a number of things inside the Communications function within the city, it was certainly a position that would deserve continual assessment of its value. He stated that as they moved forward and as the situation evolved, if there was a better way to achieve these things, that would be something they would bring before the Council to accomplish.

Councilman Russell stated to Mr. Hamilton that Mr. Anderson also did a TV show and inquired as to the difference in these shows and asked why they needed two hosts of TV shows, or three hosts of TV shows.

Mr. Hamilton stated that he would ask Ms. Schrimsher to come forward and speak on this, stating that she could speak with a lot more detail. He stated that they certainly would seek to have variety, and that as they had shows that had different themes, different focuses, that oftentimes different people could go into those in a different way. He stated that Ms. Schrimsher was certainly a professional and could speak concerning this.

Ms. Kelly Schrimsher appeared at the microphone.

Councilman Russell stated to Ms. Schrimsher that she was a very professional newscaster, that he had previously watched her, and that she had done a wonderful job, both with the weather and as an anchor. He asked why she did not do the shows.

Ms. Schrimsher stated that they might see her on TV in the not-too-distant future.

Councilman Russell stated that then they would have four anchors.

Ms. Schrimsher stated that she hoped they would have even more than that. She stated that the Council had supported the agreement for them to contract with ETV and thanked them for that. She stated that several years prior, they were not maximizing the government channel, but that at this time they actually had a television studio where they could produce programming. She stated that if they backed out sleep period, they had approximately 546 hours of programming per month that they had access to their viewers. She stated that they were certainly not Cable News and they were not HBO, but they did provide value to the citizens. She stated that at this time, with all the persons they had working on this, they were able to provide only about 12 hours of fresh content each month, noting that they had room to grow. She stated that they did take all the programming and post it on YouTube, and that they could take snippets of those programs and cross-post them to social media and cross-post them to their new website. She

stated that there was much opportunity here to provide greater transparency and information to the citizens.

Ms. Schrimsher thanked the Council for their support in this area.

President Culver asked if there was any further discussion of this matter.

Councilman Russell stated that he had voted in opposition to this each year, and that he would again vote in opposition. He stated that he believed they had too many persons involved in this, and it was bloat, so that he was just not in favor of it.

President Culver asked if there was any further discussion of this matter.

Councilman Kling stated that as a former newsman who, among other things, had previously done live radio broadcasts for public radio, in the '70s, he would support this. He stated that he did not want to digress into a different area, but noted that it was a shame that outside the persons who were listening to this broadcast on cable TV, he did not see any news reporters in the audience, that there were no TV cameras, and no one from The Huntsville Times, AL.com. He stated that there was something that was missing from this and that as much of this as they could reasonably provide, he felt they should. He stated that he wished they could get some of the former news reporters who had been laid off and see if they would come back, perhaps gratis, and this would give them an outlet where

they could go out and report news stories in the city, whether or not it dealt with City government, just so there would be an outlet.

Councilman Kling stated that they did have a studio, and it was a shame they did not have the coverage they needed. He stated that persons could turn on the 10 o'clock news and would most likely not be aware there was a City Council meeting on this evening. He stated that it appeared that no one else was covering it, and that it appeared this was the best outlet. He stated that he was now more open to support these types of things, perhaps more than he had been in the past.

President Culver asked if there was any further discussion of this matter.

There was no response.

President Culver called for a roll-call vote on Resolution No. 16-041, and the following vote resulted:

AYES: Robinson, Kling, Showers, Culver

NAYS: Russell

ABSENT: None

President Culver stated that the resolution had passed.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Sonya B. Atchley, as follows:

(RESOLUTION NO. 16-042)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver asked if there was any discussion of the above resolution.

President Culver recognized Councilman Russell.

Councilman Russell asked Mr. Steve Ivey, Director of Parks and Recreation, to come to the microphone.

Councilman Russell asked Mr. Ivey to advise the Council as to why he was doing a special employee agreement with Ms. Atchley.

Mr. Ivey stated that Ms. Atchley had been the Administrative Assistant in his department for 39 years and that she had worn many hats during this period of time. He stated that their plan was to bring someone in but noted that they needed someone with the expertise that Ms. Atchley had to train such person and to get the Recreation Department moving forward. He stated that without her assistance in bringing new persons aboard and getting them going, they felt like it would be a step backwards. He stated that they just wanted to bring in the expertise she had so they could move the department forward.

Councilman Russell asked if it was correct that this was a temporary assignment until they could find a replacement.

Mr. Ivey stated that Ms. Atchley would work with the replacement for a period of time. He stated that this was just to help them so they could keep moving forward.

Mayor Battle stated that one of the fallacies of their hiring system was that they could not hire until someone left. He continued that then they could hire someone and bring them in, but that there was no overlap. He continued that in that period with no overlap, there was no training time. He stated that they would see a couple of items on the agenda for this meeting where they were actually bringing persons back who had just retired because they were providing the overlap time so that they could make sure they could properly train the new people coming in.

President Culver asked if there was any further discussion of this matter.

There was no response.

President Culver called for the vote on Resolution No. 16-042, and it was unanimously adopted.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into a Special Employee Agreement between the City of Huntsville and Marty R. Calvert, as follows:

(RESOLUTION NO. 16-043)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver asked if there was any discussion of this resolution.

President Culver recognized Councilman Russell.

Councilman Russell stated that he had been dismayed earlier in the day when he had learned that Marty Calvert had retired. He stated that Mr. Calvert had helped him many, many times on drainage issues in District 2. He stated that they had many drainage issues, and that Mr. Calvert was an expert in what he did. He stated that one could mention a street address, and Mr. Calvert could tell one how the water flowed, what drain it went to, and how fast it went, off the top of his head.

Councilman Russell stated that he was happy that Mr. Calvert was coming back. He stated that he did not know how many years Mr. Calvert had been in the city, but that he was certainly an expert at what he did. He asked how they could ever replace an employee such as Mr. Calvert. He asked what they were attempting to do to replace someone such as Mr. Calvert.

Ms. Kathy Martin, Director of Engineering, stated that Mr. Calvert had been in the department 35 years and was certainly an expert in his field. She stated that what this contract would allow them to do would be to keep Mr. Calvert for approximately a year, in order to hire his replacement. She stated that such person would shadow Mr. Calvert and

hopefully be able to gain some of that historical drainage knowledge that her department valued so much.

Councilman Russell stated that, as Mayor Battle had pointed out, this was one of the problems with their system, that it was hard to hire someone while the person whose place they were taking was still working for the City.

Ms. Martin stated that that was correct, noting that this would allow the transition to occur over the period of a year.

Councilman Russell asked if this was a budget issue or why this could not be fixed. He asked if it was because they were not aware that employees were going to retire.

Mayor Battle stated that it was the way the employment system was set up, that they would have authorized a particular spot to be filled by someone, and that until that person would leave or retire, they could not put someone else in that position.

Mayor Battle stated that they would be getting Mr. Calvert for under \$30,000 a year, without having to put the benefits on. He stated that Mr. Calvert's total cost, including benefits, was approximately \$100,000 per year. He stated that the City would not have him as many hours, but that he would be able to do the job, and also to train the next person to be able to move into the position. He stated that this was why there were a lot of special employee agreements on the agenda, noting that it helped the City maintain some professionalism,

and also regain some of the intricate knowledge that a person had after 35 years.

President Culver asked if there was any further discussion of this matter.

President Culver recognized Councilwoman Robinson.

Councilwoman Robinson asked if it would be worth looking at some changes to the way they were staffing, stating that it would appear that they were a mile wide and an inch deep. She stated that perhaps they needed to look at the way they were structuring their staff so that they might train staff, to either cross-train or train persons to move up. She asked if this were even possible, given the structure they had.

Mayor Battle stated that it was very hard to even advertise for someone before the particular position was open, to advertise and then bring them in. He continued that they always had a lag time. He stated that the department heads would love it if they could figure out a way to do it. He stated that they would ask Mr. Byron Thomas, Director of Human Resources, to look at this and see if there was a way to do it, and bring the Council something on this.

President Culver stated that he would certainly share that view, so that they did not lose that expertise. He stated that, of course, the Council, by a majority vote, could do whatever would be necessary to fix this.

President Culver asked if there was any further discussion of this matter.

There was no response.

President Culver called for the vote on Resolution No. 16-043, and it was unanimously adopted.

Councilman Russell moved for approval of a request for authorization to advertise and fill two, potentially seven, Equipment Operator I positions, which motion was duly seconded by Councilwoman Robinson.

President Culver asked if there was any discussion of this matter.

Councilwoman Robinson stated that she would like an explanation as to this request. She stated that because of the way it was worded, she felt it might go back to the discussion they had been having about preparing persons to move up. She stated that she was sure the explanation would relate to 15.w, 15.x, and 15.y on the agenda.

Mr. Chris McNeese, Director of Public Works, appeared at the microphone.

Mr. McNeese stated that in agenda items 15.w and 15.y, there was the word "potentially," and noted that this was somewhat confusing. He stated that the reason that was there was because of timing. He stated that at this time they were coming before the Council for the requests in agenda items 15.w, 15.x, and 15.y. He continued that they had two positions to fill for 15.w, and that they had a total of seven positions in that Equipment Operator I position, with two of them being vacant and five being occupied. He stated that at this time

they were doing interviewing and testing for these five operators, and that they were looking to be promoted to Equipment Operator II, so that that would potentially generate seven positions to be filled. He stated that that was why there was the word "potentially."

Councilwoman Robinson asked if it was correct that that would apply to agenda item 15.y. as well.

Mr. McNeese replied in the affirmative.

Mr. Hamilton stated that this was an example of a strategy to try and help accelerate this process. He stated that if the Council approved this, this would allow them to immediately advertise and begin the process for hiring up to seven Equipment Operator I's, if necessary, and not have to wait for weeks to get before the Council again on this. He stated that although they might still end up at some times with vacancies, it would significantly truncate that just by going through this process at this time.

Councilwoman Robinson stated that she applauded them for thinking innovatively in doing this and looking ahead and strategically planning these moves as they went forward. She stated that this was also good for the employees, because it would give them an opportunity to be promoted, to be hired within, and that they were developing persons and looking ahead.

Councilwoman Robinson stated that she had asked earlier about the special employee contracts and the need to

restructure something, and she stated that they were doing some interesting work on this, a different way of hiring and a different way of promoting, and that perhaps it would be worth looking into.

Mr. Hamilton stated that there were a number of things that they were working on and stated that in cases where they had sufficient notice that an employee was choosing to leave, whether it would be retirement or just leaving the City, that they were beginning the process. He stated that, however, there was still the issue that they could not actually offer a person the job until the position was vacated, so that they were guaranteed some underlap between the two employees.

Mr. Hamilton stated that there had been some cases where they had come to the Council and asked to be given an additional authorization, temporarily, to hire who would be the replacement, and then when the person retired, they would delete the other position. He continued that this required a fairly significantly long notice that a person was planning on leaving so they could get all the paperwork cleared, et cetera. He stated that they oftentimes had folks that were fairly late in the process when they actually submitted their retirement paperwork, so it would be difficult for the department head to react quickly enough and for HR to react, and then ultimately for the Council to react, noting that they had to bring it before the Council in that cycle. He stated that they were working to reduce these times as much as they possibly could,

but that there were some cases where it just could not get done in time.

President Culver asked if there was any further discussion of this matter.

There was no response.

President Culver called for the vote on the above request, and it was unanimously approved.

Councilman Russell moved for approval of a request for authorization to advertise and fill four Public Services Skilled Worker positions, which motion was duly seconded by Councilwoman Robinson.

Councilwoman Robinson stated that her question concerning this item had been answered.

President Culver called for the vote on the above request, and it was unanimously approved.

Councilman Russell moved for approval of a request for authorization to advertise and fill five, potentially nine, Public Services Workers positions, which motion was duly seconded by Councilwoman Robinson.

Councilwoman Robinson stated that, again, her question concerning this item had been answered.

President Culver called for the vote on the above request, and it was unanimously approved.

Councilman Russell read and introduced a resolution authorizing the Mayor to enter into an agreement between the

City of Huntsville and Dunlap Contracting for Construction Services for Big Spring Park East, Phase II, as follows:

(RESOLUTION NO. 16-044)

Councilman Russell moved for approval of the foregoing resolution, which motion was duly seconded by Councilwoman Robinson.

President Culver recognized Councilman Russell.

Councilman Russell stated that he had questions concerning this resolution and asked Mr. Jeff Easter, Director of General Services, if he or Mr. Hamilton would be the best person to answer his questions.

Mr. Easter stated that it would depend on the question.

Councilman Russell asked Mr. Easter if he could describe the project.

Mr. Easter stated that this was a contract for new sidewalks in Big Spring Park East, and that it was in the amount of \$158,285. He stated that, as the Council members were aware, there was some renovation going on in the park. He stated that this was primarily all the concrete work, which he noted included the sidewalks. He stated that the sidewalk would have the same appearance as the sidewalk that had been put in the prior year. He stated that he did not have the schedule in front of him at this time but that the project was scheduled to be completed prior to Panoply.

Councilman Russell asked Mr. Hamilton if he could describe the overall plan for the park and what was going on.

Mr. Hamilton stated that when they talked about "Big Spring Park," that, typically, they were talking about both sides of Church Street, but that in this case, they were talking solely about the portion of the park that was to the east. He continued that he believed everyone was familiar with the almost emergency-type work that had been done on the far eastern end of the park, next to the spring, where there had been some underground water that had been creating some sinkholes, et cetera. He stated that they had to come in quickly and fix that.

Mr. Hamilton continued that what was before the Council at this time was a second phase of the overall renovation of the park. He stated that the challenge that was being seen in the portion that was underway at this time was because there had previously been a road running through the park, that it had not always been a park, and that when it had been converted to a park, they did not come in and remove all the base material, et cetera, so there was still a road there, and that was why it had always been very challenging to get grass to grow properly in the area. He stated that, additionally, that had made the drainage not function properly, so any time there was a large rain, portions of the park would basically turn into mud and become unusable. He stated that they had removed the sidewalks after they had been torn up by root systems and such, as a result of the way the drainage functioned, and they had brought in sufficient topsoil to allow grass to grow properly and to

fix some of the drainage there. He stated that Public Works was also installing some underground drainage systems to help control that water and get it off the park so that it would be able to function properly.

Mr. Hamilton stated that what this contract would do would be to put the sidewalks back in. He continued that this would match the exact same design as the new sidewalks on the far eastern end of the park. He stated that the sidewalks were going back in the same place they had been, so that the overall appearance of the park would remain the same, in terms of the way it was designed, but that, obviously, it would be refreshed. He stated that they fully expected that the grass lawn, which was the primary part of the park that was used by groups, would function much, much better.

President Culver asked if there was any further discussion of this resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-044, and it was unanimously adopted.

Councilwoman Robinson read and introduced a resolution authorizing the Huntsville-Madison County Railroad Authority to obtain a loan from First National Bank of Pulaski, as follows:

(RESOLUTION NO. 16-045)

Councilwoman Robinson moved for approval of the foregoing resolution, which motion was duly seconded by Councilman Showers.

President Culver asked Mr. Hamilton for an explanation of the above resolution.

Mr. Hamilton stated that this resolution would give the Railroad Authority approval to obtain a loan, primarily to refinance some existing debt. He stated that they had a balloon payment coming up, and that this was a good way of managing their debt, managing their finances. He stated that there was an additional amount included that they intended to use for basic infrastructure repairs and maintenance on their system. He stated that the way they were chartered by the State Legislature, they were obligated to come to both the Huntsville City Council and the Madison County Commission with a resolution for approval of these types of expenditures and this type of debt. He stated that that was the reason the Council had this resolution in front of them at this time, to approve the resolution to allow them to move forward on refinancing this debt.

Mayor Battle stated that they had had numerous conversations with both the Railroad Authority and with the manager at Saint Gobain, an industry which employed approximately 100 persons, which he noted was their primary customer in the area. He stated that they had not been able to service Saint Gobain in approximately the prior month because they had to repair the tracks. He stated that, as he understood it, the resolution before the Council would give them the money to repair the tracks so that they could service

Saint Gobain. He stated that he would be having lunch with the manager of Saint Gobain on the following Monday in order to kind of walk him through the course of actions they were doing and to show him that they were providing the funds to be able to do this. He stated that, hopefully, he would be correct in telling him that they would have him in operation within six months or so.

Ms. Karen Monroe appeared at the microphone, stating that she was the General Manager of the Huntsville-Madison County Railroad Authority. She stated that the Railroad Authority had had a long relationship with Saint Gobain, and they had had a lot of discussions with them on the infrastructure problems they were experiencing on the last three miles of track.

Ms. Monroe stated that the prior week she had gone down and talked with the plant manager at Saint Gobain because they had a bridge that had failed a bridge report. She stated that they were in the process of their bridge engineer coming down, that they expected him at the end of the week or the first of the following week, to identify the minor repairs, or the major repairs, that it would take to get that bridge back in service.

Mayor Battle asked Ms. Monroe if he would be correct in telling Saint Gobain that they were estimating approximately six months that they would most likely be without service.

Ms. Monroe stated that that would be an adequate timeframe for them to evaluate the repairs and then to be able to get in there and make them on this particular bridge. She continued

that this was the bridge that went across the Aldridge Creek Greenway and that was where the walkway went under as well.

President Culver asked Mr. Hamilton if there was any way this debt could come back to the City of Huntsville.

Mr. Hamilton stated that the resolution on the floor did not obligate the City to repay the debt. He continued that, as with any public entity in the community, if the Council wanted to consider assistance to them, it would have to be considered by the Council, and that would be separate from what was on the floor at this time.

President Culver asked if there was any further discussion of this resolution.

Mayor Battle stated that the Authority had been working long and hard on this for the prior three years, and that Ms. Monroe had been working very hard on it, that she had started off with a large negative number, and she had moved down to a much smaller negative number, year by year, in operation. He stated that he believed they were getting to the place where, hopefully, they could get to a positive area. He stated that they were fully aware that as a government, they did not have an obligation in this debt because they were not held liable in the debt. He continued that there were assets of the corporation that if something did happen to the Railroad Authority, they would most likely want to purchase those assets, just as a city. He stated that they just needed to be going into this cognizant of the fact that they were not in a

huge profitable area here, that, in fact, probably not in a profitable area, with providing a service that was a necessity. He stated that that was what the Railroad Authority had started doing 31 years prior, that that was the reason they had put it together.

President Culver stated to Ms. Monroe that, in looking at her numbers, it appeared that this was a win-win situation.

Ms. Monroe stated that they hoped it was a win-win and thanked President Culver for his comment.

President Culver asked if there was any further discussion of the above resolution.

There was no response.

President Culver called for the vote on Resolution No. 16-045, and it was unanimously adopted.

President Culver stated that the next item on the agenda was Legal Items/Transactions.

Councilman Russell read and introduced an ordinance vacating a portion of a Utility and Drainage Easement for property located in Cambridge Subdivision along Zierdt Road (Mungo Homes), as follows:

(ORDINANCE NO. 16-046)

Councilman Russell moved for approval of the foregoing ordinance, which motion was duly seconded by President Culver.

President Culver called for the vote on the above ordinance, and it was unanimously adopted.

Mr. Riley submitted the following deeds for approval:

(DEEDS)

Whereupon, Councilman Russell moved for approval of the foregoing deeds, which motion was duly seconded by President Culver, and was unanimously approved.

President Culver stated that the next item on the agenda was Non-Roster Communications from the Public. He asked if anyone wished to address the Council at this time.

Mr. Jerry Cox, 4029 Telstar Circle, appeared before the Council, stating that first, as a veteran of the U.S. Army, he wished to respectfully acknowledge the U.S. Army soldier, the two New York Air National Guard Airmen, and the four members of the U.S. Air Force, one being a woman, killed as a result of hostile action in Afghanistan during the prior four weeks.

Mr. Cox stated that on behalf of the Huntsville Chapter of Retired Federal Employees, he wished to publicly thank City personnel, Mr. Madsen, Mr. Newberry, and Mr. Vandiver, for giving them their morning the prior Saturday to update the retirees at their meeting on the City's long-range planning. He stated that he believed it had been made very clear that this was a very interesting subject for the attendees because it had been by far the greatest number of attendees at a January meeting they had had in many years.

Ms. Cox stated that his neighborhood had recently experienced some flooding in a area where a culvert carried drainage from Redstone, under Patton Road, through his community, to McDonald Creek. He stated that this had resulted

in about half of Patton Road being closed and properties on the city's side being flooded, noting that this had happened previously. He continued that he believed the culvert was properly sized but that it must be blocked. He stated that if Engineering or Public Works could get with the Arsenal personnel and look into this matter, the community would certainly appreciate it. He stated that the site was about halfway between the two Telstar/Patton Road intersections.

Mr. Cox stated that work had apparently begun at Walmart on Bob Wallace and Jordan Lane. He stated that he would like to know where he could see the traffic study that had been done by Walmart for this site.

Ms. Cox stated that he would like to thank Mr. Tommy Brown and Public Transit for the timely and adequate shuttle bus service to the new V.A. Clinic off of Holmes Avenue.

President Culver stated that, as always, he wanted to thank Mr. Cox for his update.

President Culver asked Mr. Davis if he would address Mr. Cox's issue.

Mr. Davis stated that a traffic study was prepared by the developer, Walmart, for the subject site, and that it was on file both in the Engineering Department and the Traffic Engineering Department, and that it was available to the public to view or obtain a copy of.

President Culver asked if there was anyone else who wished to address the Council at this time.

Ms. Jackie Reed again appeared before the Council, stating that she had several issues, and that one of these was why they were changing the streets downtown, particularly Clinton Avenue, when they had just gotten it all set up pretty good. She asked if it was all about downtown. She stated that they would be confusing everyone.

Ms. Reed stated that she believed they needed to restructure City government, that that had been bothering her for a long time. She stated that she had worked for government contractors for 25 years. She continued that sometimes how they handled some of these issues at City Hall bothered her so that she could not sleep at night.

Ms. Reed stated that on the agenda for this meeting there had been an agreement between the City of Huntsville and Schrimsher Company for consultant service. She asked if this was up for renewal or if it had just been brought forward. She continued that she needed to ask some questions about that. She stated that back when this had first come up, it was Trent Willis's job, and that her daughter had looked at it. She continued that she did not know whether or not it had been advertised. She stated that the salary at that time was \$56,000, and that they had gotten that salary up to \$99,900 at this time. She stated that that had been with no health insurance, and that was okay, but that now they were turning it into a permanent employee, turning that consultant job into a

permanent employee, where they would have to pay health insurance.

Ms. Reed stated that she wanted to thank Councilman Russell for all the questions he had had concerning the communications and TV stations.

Ms. Reed stated that she knew Newhouse out of New York, and that she was going to call him and see if he needed to get down here in the paperwork because this was going to be a hot year in politics and they needed a newspaper sitting in here telling the people what was going on in the City.

Ms. Reed stated that as many consultants as they had handling Channel 42, they had as yet to put anything about a meeting on there. She stated that she had brought this up the prior year many, many times. She continued that it was just a socializing channel. She asked when meetings such as Downtown, Inc., Downtown Redevelopment, Planning, and the MPO were held.

Ms. Reed asked if anyone cared about the public. She stated that she did, and that she cared about the salaries they were stretching. She stated that one person she knew in the City was the director of three departments, and they did not look at her salary, that they did not look at the salary structures in the City. She stated that she did 250 engineers' salaries when she worked for the aerospace industry. She stated that sometimes they had to use common sense and look at some of this, look at Channel 42.

Ms. Reed stated that she was going to try to be good at what she did in the coming year.

President Culver stated that he believed Ms. Reed had three questions: Why they were changing the streets downtown, a question on the consulting contract that was in the amount of \$99,000 for Ms. Schrimsher, and how many consultants were handling Channel 42, and if they put meetings on this channel.

President Culver asked Mr. Hamilton if he could address Ms. Reed's questions.

Mr. Hamilton replied in the affirmative.

Mr. Hamilton stated that the only street that was changing at this time was Clinton, for approximately three or four blocks. He stated that this was changing from one-way to two-way for a number of reasons, but primarily because a two-way street was much more pedestrian friendly, and that as they saw more and more persons in the downtown area, it would actually be safer on a two-way street versus a one-way street. He stated that it was a matter of accomplishing what they wanted to be in terms of being friendly to pedestrians.

Mr. Hamilton stated, concerning the consultant contract that the Council had approved earlier in the meeting, that there was no change to the cost of the contract, that it was level funding for the next 60 days, as compared to the prior year.

Mr. Hamilton stated, concerning the persons working on Channel 42, that the task they had for Ms. Schrimsher at this

time was management of and supervision of the way in which this programming occurred. He stated that the cameraman for the Council meetings, Blake Hudson, did much of the work on actually shooting and producing and putting content onto the television station. He stated that as they had discussed earlier in the meeting, the two primary hosts of shows that they produced were Kenny Anderson, in his role with Multicultural Affairs, and Brenda Martin, which he noted was the contract the Council had approved earlier in the meeting. He stated that they were the TV personalities they used to help get their message out. He stated that they were trying to get content on there that was formatted similar to the way persons saw things on commercial television, that they were attempting to replicate that.

Mr. Hamilton stated that he and Mr. Reed had talked just a couple of weeks prior about doing a better job on the channel, of actually giving notices of when public meetings would occur. He stated that during the current week, Blake Hudson had added content so that when slides were showing, one should at this time see a slide that listed the next four or five Council meetings, and a slide that listed the next three or four Planning Commission meetings, as well as the upcoming Board of Zoning Adjustment meetings. He stated that, also, if there were additional meetings that they wanted to make absolutely certain were shown, they could add more content. He stated that, however, the three he had mentioned that were starting at

this time were probably the ones that were the most significant in terms of making decisions that impacted citizens. He stated that these three meetings each had their own slide that listed the meetings in the upcoming months.

Mayor Battle stated, concerning the salaries Ms. Reed had mentioned, the \$99,000 versus the \$56,000, that with every employee they had approximately a 40 percent load, once health insurance, FICA, retirement, et cetera, were considered. He stated that, therefore, a \$50,000 employee would cost approximately \$70,000. He stated that if one took 60 percent of the \$99,000 that Ms. Schrimsher's contract was under, it would come out to \$59,400. He stated that Mr. Willis would have easily been beyond that rate with the COLA's and the step raises they had put in over the past several years, so that the City of Huntsville had gotten more value out of this than they would have gotten if they had had someone working for \$65,000 because of the load that had to be added on for the extra benefits an employee had.

President Culver recognized Mr. Shane Davis.

Mr. Davis stated that he would like to comment on the two-way street on Clinton. He stated that persons might recall that approximately two years prior, the City had commissioned a study by a traffic consulting firm to evaluate several downtown streets. He stated that the study had recommended that some streets should go back to two-way streets. He stated that this study had been done at the request of the downtown businesses.

He stated that the study reflected that some streets should remain one-way, particularly Washington Street and Jefferson Street. He continued that they had recommended that Clinton Avenue and Holmes Avenue be made two-way streets. He stated that they had not wanted to change all these at one time and create too much confusion, so they were starting with Clinton Avenue on the following Thursday morning, and that as The Avenue got further along, close to a C.O., they would be converting that section also.

President Culver asked if there was anyone else who would like to address the Council at this time.

There was no response.

Upon motion, duly seconded, the meeting was adjourned.

PRESIDENT OF THE CITY COUNCIL

ATTEST:

CITY CLERK-TREASURER